

**Listing of Claims:**

1. (Currently Amended) A microscopic image capture apparatus, comprising:

a low magnification optical system and a high magnification optical system;

5 a macro image capture unit which captures an image of wide-angle view of an entire observing slide by the low magnification optical system;

10 a sample image area extraction unit which extracts a sample image area including in which a sample image exists from the image of wide-angle view captured by the macro image capture unit;

15 a height coordinate acquisition position setting unit which automatically sets a plurality of positions in an XY direction ~~in which a height coordinate Z is acquired from~~ over the sample image area extracted by said sample image area extraction unit in each of which a height coordinate Z is acquired;

a replacing unit which replaces the low magnification optical system with the high magnification optical system;

20 a coordinate read unit which reads a height coordinate of a focal point position of the high magnification optical system in each of the positions in the XY direction set by said height coordinate acquisition position setting unit;

25 a focal point adjusted position computation unit which  
computes an adjusted position of a focal point in an arbitrary  
position in the sample image area using height coordinate data  
read by said coordinate read unit over the sample image area at  
~~the positions set by said height coordinate acquisition position~~  
~~setting unit;~~ and

30 a sample travel unit which transfers a height of a sample to  
the adjusted focal position computed by the focal point adjusted  
position computation unit ~~when~~ following horizontal traverse of  
the sample ~~is horizontally traveled.~~

5 2. (Previously Presented) The apparatus according to  
claim 1, wherein said coordinate read unit performs autofocus  
processing with the sample horizontally traveled to a set  
position, and reads a height position of said sample travel unit  
after completion of the autofocus processing as the height  
coordinate.

5 3. (Previously Presented) The apparatus according to  
claim 1, wherein said height coordinate acquisition position  
setting unit sets a position of a grid point including the sample  
image in grid points of sections obtained by dividing the sample  
image area at predetermined intervals in grid form as one of the  
positions in which the height coordinate is obtained.

Claims 4-8 (Canceled).

9. (Currently Amended) A microscopic image capturing method for use with a microscopic image capture apparatus, said method comprising:

capturing an image of a wide-angle view of an entire  
5 observing slide by a low magnification optical system;

extracting a sample image area ~~including in which~~ a sample image exists from the captured image of wide-angle view;

automatically setting a plurality of horizontal positions ~~in which a height coordinate Z is acquired from~~ over the extracted  
10 sample image area in each of which a height coordinate Z is acquired;

replacing the low magnification optical system with a high magnification optical system;

reading a height coordinate which is a focal point position  
15 of the high magnification optical system in each of the set horizontal positions;

computing an adjusted position of a focal point in an arbitrary position in the sample image area using the set horizontal positions and height coordinate data read ~~[[in]]~~ over  
20 the ~~set horizontal positions~~ sample image area; and

transferring a height of a sample to the computed adjusted focal position ~~when~~ following horizontal traverse of the sample ~~is horizontally traveled.~~

Claims 10 and 11 (Canceled).